

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, March 30, 1939.

The City Council met in regular session at the regular meeting place in the City Hall, at 10:30 A. M., Thursday, March 30, 1939, with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen Chas. F. Alford, C. M. Bartholomew, Simon Gillis Mayor Tom Miller, and Councilman Oswald G. Wolf; absent, none.

The reading of the Minutes was dispensed with.

A committee from the Travis County Medical Society, composed of Drs. A.F. Beverly and J. C. Thomas, came before the Council and submitted in writing a proposed setup of rules and regulations governing the professional activities of Brackenridge Hospital, in order that same may be approved as a standardized hospital by the American Medical Society.

Upon motion of Mayor Miller, the matter was taken under advisement for study, and the Travis County Medical Society was thanked for their interest and cooperation in the matter.

Upon motion of Mayor Miller, the public hearing scheduled for this day at 11:00 A. M., on the proposal to change the zoning, from Residence "B" District to "C" Commercial District, of the property located at 1803-5-7 West 6th Street, more particularly described as Lots 1 and 2, Block 2, Graham's Addition to the City of Austin, was postponed until the next regular meeting at the request of the opponents of the proposed change, who were unable to be present; the proponents of the proposed change being present and agreeing to the postponement.

Councilman Alford introduced the following resolution and moved its adoption. The motion was seconded by Councilman Bartholomew, and was carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The resolution is as follows:

WHEREAS, the bids which were received for the General Construction, and for the Mechanical Work of the Austin-Travis County Sanatorium, P.W.A. Docket Texas-2070-F, exceeded the estimates used as a basis for the grant agreement with the Federal Emergency Administration of Public Works; and

WHEREAS, it was found desirable to award contracts to the low bidders on the basis of the bids submitted, even though the total exceeded the amount of the grant agreement upon which the grant was computed; and

WHEREAS, additional funds not to exceed a total of Twelve Thousand Dollars (\$12,000.00) over and above those funds appropriated to meet the terms of the grant agreement have been appropriated and duly set aside for the additional work upon which contracts have been awarded; and

WHEREAS, the Central Sanatorium Committee, a body of interested and public-spirited citizens of the City of Austin, and of Travis County, expect to raise Two Thousand Dollars (\$2000.00), in addition to all moneys they have heretofore pledged; and

WHEREAS, equipment in the amount of approximately Twelve Thousand Dollars (\$12,000.00) which is a necessary and vital part of this project remains still to be purchased; and

WHEREAS, the money now available and uncontracted for is not sufficient to cover the cost of this equipment; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS:

THAT the City Manager be and he is hereby authorized and directed to prepare the necessary exhibits, cost analysis and supporting papers, together with certified copies of this resolution and submit the same to the Regional Office of the Public Works Administration as a basis for a formal request that the grant on this docket number be increased on the basis of a total project cost of Seventy Nine Thousand Five Hundred Dollars (\$79,500) as shown in the estimate and cost data which is attached hereto and made a part of this resolution for informational and record purposes.

BE IT FURTHER RESOLVED:

THAT the City Council and the City of Austin appreciate the grants-in-aid made to the City of Austin on this and the many other worthwhile projects which are and will be for many years enduring evidence of the sound expenditures of public funds by the United States Government through the PWA, and said PWA projects are essential and badly needed and are serving, and will serve, the people of Austin for many years.

Councilman Alford introduced the following resolution and moved its adoption. The motion was seconded by Councilman Bartholomew, and was carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The Mayor declared the resolution adopted.

The resolution is as follows:

WHEREAS, the Public Works Administration requires that all projects under its regulation be done in accordance with prevailing wage scale as published by the Department of Labor of the State of Texas, or as set up on similar projects in this locality; and

WHEREAS, in the proposed work on Docket Texas-2070-F the wage scale did not include certain classification of labor which will be necessary to be used in the proposed work on Docket Texas-2070-F; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT David C. Baer, Architect on the above project, be and he is hereby authorized and directed to submit such additional schedule to the State Director of Public Works Administration for approval, and that he shall provide all contractors and sub-contractors on said Docket Texas-2070-F with notice that such scale of wages have been set up and must be complied with.

"March 30, 1939
Docket Texas 2070-F
Sanatorium
Austin, Texas
Re: Wage Scales

The following additional classifications and minimum wage scales are hereby added to the classifications and scales which have been previously furnished, and cover classifications which had not previously been determined:

<u>Classification</u>	<u>Wages per Hour</u>	<u>Wages per Diem</u>
Steel Fence Erector	\$ 1.00	\$ 8.00
Mortar Mixer	.75	6.00
Kettle Man, Roofing	.60	4.80
Mop Men, Roofing	.60	4.80
Electrician's Helper and also Electrician's Apprentices of 1st, 2nd, 3rd, and/or 4th yrs.	.75	6.00
Masonry Tender	.60	4.80
Plaster Tender	.60	4.80

Councilman Bartholomew introduced the following resolution and moved its adoption. The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The resolution is as follows:

WHEREAS, the Board of Trustees of the Austin Independent School District have recommended award of contract to the low bidder for each of the construction units and branches under the Austin School Construction Program - PWA Docket TEX-2134-F, for which bids were received respectively on March 9, 1939, and on March 16, 1939, as shown in the two separate resolutions passed by said Board of Trustees at its meeting on March 26, 1939, one applying to the March 9 and the other applying to the March 16 bid opening, a copy of each of said resolutions being attached hereto and made a part hereof; and

WHEREAS, the City Council of the City of Austin concur in the recommendations contained in the two resolutions of the Board of Trustees of the Austin Independent School District; Now, therefore,

BE IT RESOLVED by the CITY COUNCIL OF THE CITY OF AUSTIN:

THAT recommendation of awards of contract be and the same is hereby made to the Public Works Administration, according to the listing given in the resolution dated March 26, listed as Items A to D, inclusive, and covering Units 35 to 38, inclusive, and in the resolution dated March 26, 1939, covering the items listed as Nos. 1 to 18, inclusive, and covering Units 32-33, and 39 to 46, inclusive; both resolutions being by the Board of Trustees of the Austin Independent School District; and

BE IT FURTHER RESOLVED:

THAT the City Manager be and he is hereby authorized and instructed to execute all necessary documents in connection with said contracts after approval of the Public Works Administration has been received.

(RESOLUTION ATTACHED)

WHEREAS, the office of the Supervising Architect has this date presented recommendations of award of contract for the General Construction of Units 35 to 38, inclusive, under PWA Docket TEX-2134-F, and the Supervising Architect has explained and discussed those recommendations; and

WHEREAS, the Board of Trustees of the Austin Independent School District have carefully considered the recommendations, as made and discussed, have considered the funds available, and believe the recommendations to be in the best interests of the Owner and the Construction Program:

Now, therefore, BE IT RESOLVED That the recommendations of the Supervising Architect be and they are hereby approved, and that awards of contract be recommended to the City Council, acting for and in behalf of the Austin Independent School District, as follows:

- (A) For the General Construction of the Superstructure of the 12-ROOM N.E. Austin School (omitting the second floor and reducing the same to an 8-Room Building) to Will O'Connell, of San Angelo, Texas, at a net contract price of \$41,500.00;
- (B) For the General Construction of the Superstructure of the 6-ROOM S. E. Austin Elementary School (changing to face brick) to Will O'Connell, of San Angelo, Texas, at a net contract price of \$33,800.00;
- (C) For the General Construction of the Superstructure of the Addition to the Becker School (omitting the Auditorium Wing, and accepting alternate on change in acoustical treatment of certain areas) to Rex D. Kitchens Construction Co., of Austin, Texas, at a net contract price of \$51,869.00; and

- (D) For the General Construction of the Superstructure of the Addition to the Zavala School (without alternates) to Rex D. Kitchens Construction Company of Austin, Texas, at a net contract price of \$21,111.00;

all of which awards are more particularly described in the Architect's recommendation, attached hereto; and

BE IT FURTHER RESOLVED That the contract for the General Construction of the Superstructure of the 12-Room N. E. Austin School include an agreement, under the terms of which the Owner may reinstate the second floor construction at an additional cost in the same amount as deducted by the Contractor under Alternate No. 1, should funds for such reinstatement be available within sixty (60) days from date of signing contract; neither the acceptance of the deduction under Alternate No. 1 nor its reinstatement having affected the relative standing of the bidders for that particular project.

I hereby certify that the above Resolution was introduced and unanimously carried at a special meeting of the Board of Trustees of the Austin Independent School District held March 26, 1939, at which the following members of the Board were present:

E. H. Murchison
Mrs. E. H. Wells
L. H. Blenderman
R. G. Mueller

Mrs. A. P. Robinson
Carl T. Widen
A. N. McCallum,
Sup't of Schools

(Signed) Cousins Gregg
Secretary to the Superintendent of Public Schools
Austin, Texas,

(SEAL)

(RESOLUTION)

WHEREAS, the office of the Supervising Architect has this date presented recommendations of award of contract for the Mechanical Construction of Units 32-33, and 39 to 45, inclusive, and for the General Construction of Unit 46, all under PWA Docket Tex-2134-F, and the Supervising Architect has explained and discussed those recommendations; and

WHEREAS, the Board of Trustees of the Austin Independent School District have carefully considered the recommendations, as made and discussed, have considered the funds available, and believe the recommendations to be in the best interests of the Owner and the Construction Program:

Now, Therefore, BE IT RESOLVED That the recommendations of the Supervising Architect be and they are hereby approved, and that awards of contract be recommended to the City Council, acting for and in behalf of the Austin Independent School District, as follows:

- (1) For the Plumbing Work for the Fulmore and Baker Jr. Schools (rejecting Alternates Nos. 1 and 2) to the Curtis Electrical Company, Inc., of Austin, Texas, at a net contract price of \$23,100.00, the contract to cover the plumbing work in both buildings
- (2) For the Heating Work in the Fulmore and Baker Jr. Schools to Young & Pratt, of Austin, Texas, at a net contract price of \$18,990.00, the contract to cover the Heating Work in both buildings;
- (3) For the Plumbing and Heating Work for the Anderson Shop Addition to the Curtis Electrical Company, Inc., of Austin, Texas, at a net contract price of \$1,197.00;
- (4) For the Plumbing Work for the 12-Room N.E. Austin School to the Wallace Plumbing Company, of Austin, Texas, accepting Alternate No. 1 deducting \$35.00 (due to the omission of the second floor of this building), at a net contract price of \$2,680.00;

- (5) For the Heating Work for the 12-Room N.E. Austin School to the firm of Spiller-Miller, of Austin, Texas, accepting Alternate No. 1 deducting \$725.00 (due to the omission of the second floor of this building) at a net contract price of \$3,101.00;
- (6) For the Electric Construction of the 12-Room N.E. Austin School to the Martin Wright Electric Company of San Antonio, Texas, accepting Alternate No. 1 deducting \$532.00 (due to the omission of the second floor of this building), at a net contract price of \$2,266.00;
- (7) For the Plumbing Work of the 6-Room S. E. Austin School, to the Wallace Plumbing Company of Austin, Texas (rejecting Alternate No.1) for a net contract price of \$2,627.00;
- (8) For the Heating Work of the 6-Room S. E. Austin School, to Fox-Schmidt, of Austin, Texas, for a net contract price of \$2,937.00;
- (9) For the Electrical Work of the 6-Room S. E. Austin School, to the Curtis Electrical Company, Inc., of Austin, Texas, for a net contract price of \$1,530.00;
- (10) For the Plumbing Work of the Addition to the Becker School, to the Curtis Electrical Company, Inc., of Austin, Texas (accepting Alternate No. 1, deducting \$496.00, due to omission of the Auditorium Wing under the General Contract), for a net contract price of \$3,014.00 (Alternate No. 2 rejected);
- (11) For the Heating Work of the Addition to the Becker School, to Young & Pratt, of Austin, Texas, (accepting Alternate No. 1, deducting \$1,800.00, due to omission of the Auditorium Wing under the General Contract), for a net contract price of \$6,560.00;
- (12) For the Electric Work of the Addition to the Becker School, to the Curtis Electrical Company, Inc., of Austin, Texas (accepting Alternate No. 1, deducting \$750.00, due to omission of the Auditorium Wing under the General Contract), for a net contract price of \$3,465.00;
- (13) For the Plumbing Work of the Addition to the Zavala School, to the Curtis Electrical Company, Inc., of Austin, Texas, for a net contract price of \$1,245.00;
- (14) For the Heating Work of the Addition to the Zavala School, to Fox-Schmidt, of Austin, Texas, for a net contract price of \$2,584.00;
- (15) For the Electrical Work of the Addition to the Zavala School, to the Curtis Electrical Company, Inc., of Austin, Texas, for a net contract price of \$2,188.00;
- (16) For the Plumbing & Heating Work of the Kealing and Bickler Schools, to Spiller-Miller, of Austin, Texas, for a net contract price of \$1,991.00. This covers the work in both buildings;
- (17) For the Electrical Work for Boiler Houses and Service of the Kealing and Bickler Schools, to W. K. Jennings, Jr., of Austin, Texas, for a net contract price of \$982.00. This covers the work for both buildings.
- (18) For the General Construction of the Concrete Tunnel Work for Heating Trenches, to H. B. Zachry Company of Laredo, San Antonio, and Austin, Texas, for a net contract price of \$4,264.00;

all of which awards are more particularly described in the Architect's recommendation, attached hereto; and

BE IT FURTHER RESOLVED That the contract for each branch of the Mechanical Work for the 12-Room N. E. Austin School (Items 4, 5, and 6, above) shall include an agreement, under the terms of which the Owner may reinstate that branch of the Mechanical Work for the Second Floor Construction at an additional cost in the same amount as deducted by the Contractor under Alternate No. 1, should funds for such reinstatement be available within sixty (60) days from date of signing contract; neither the acceptance of the deduction under Alternate No. 1 nor its reinstatement having affected the relative standing of the bidders for the mechanical branches on that particular project.

I hereby certify that the above resolution was introduced and unanimously carried at a special meeting of the Board of Trustees of the Austin Independent School District, held March 26, 1939, at which the following members of the Board were present:

E. A. Murchison
Mrs. E. H. Wells
L. H. Blenderman
R. G. Mueller

Mrs. A. P. Robinson
Carl T. Widen
A.N. McCallum, Supt.
Schools

(Signed) Cousins Gregg
Secretary to the Super-
intendent of Public
Schools of Austin,
Texas.

(SEAL)

Councilman Gillis moved that the following ordinance for the extension of the boundaries of the City of Austin be introduced; that the City Manager be instructed to cause said ordinance to be published in a daily newspaper in the City of Austin at least one time, as required by the City Charter, and that final passage of said ordinance be set for the regular meeting of the City Council on Thursday, May 4, 1939. The motion was seconded by Councilman Alford, and was carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The ordinance is as follows:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF THREE AND FIFTEEN ONE-HUNDREDTHS (3.15) ACRES OF LAND OUT OF THE HENRY P. HILL LEAGUE IN TRAVIS COUNTY, TEXAS, WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN IN THE PARTICULARS STATED IN THE ORDINANCE.

Councilman Alford introduced the following resolution:

WHEREAS, Robert Morris is the contractor for the erection of an addition to the building located at 1600 San Jacinto Street and desires a portion of the sidewalk and street space abutting Lot 2, Block 53, of the Original City of Austin, Travis County, Texas, during the erection of an addition to said building, such space to be used in the work and for the storage of materials therefor; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. THAT space for the uses hereinabove enumerated be granted to said Robert Morris, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at the southeast corner of the above described property; thence in an easterly direction and at right angles with the centerline of San Jacinto Street to a point 7 feet east of the west curb line; thence in a northerly direction and parallel with the centerline of San Jacinto Street 46 feet to a point; thence in a westerly direction and at right angles with the centerline of San Jacinto Street to the northeast corner of the above described property.

2. THAT the above privileges and allotment of space are granted to the said Robert Morris, hereinafter termed "Contractor," upon the following express terms and conditions:

(1) That the Contractor shall construct a 4-foot walkway within the outer boundaries of the above described working space, such walkway to be protected on each side by a guard rail at least 4 feet high and substantially braced and anchored, and without wood strips or obstructions of any kind along the pavement within the walkway, and at any time in the opinion of the City officials it becomes necessary for any reason to install a board floor within the walkway, the Contractor shall upon notice from the Building Inspector immediately place such a wood floor and substantially support same to prevent sagging under load.

(2) That the Contractor is permitted to construct in his working space a substantial gate which shall be kept closed at all times when not in use, and at all times that such gate is open, the Contractor shall maintain a person at this gate

to warn pedestrians and vehicles of approaching trucks. This gate is not to open out so as to impede vehicular or pedestrian traffic.

(3) That no vehicles in loading or unloading material at the working space shall park on any part of the street outside of the allotted working space.

(4) That "No Parking" signs shall be placed on the street side of the barricades.

(5) That the Contractor is permitted to construct a temporary work office within such allotted working space provided such work office is not within 25 feet of any corner street intersection.

(6) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such barricades.

(7) That provision shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm water.

(8) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness and provide lighting system for all tunnels.

(9) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than July 1, 1939.

(10) That the City reserves the right to revoke at any time any and all the privileges herein granted, or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(11) That the use and enjoyment of the spaces herein granted shall not be exclusive as against public needs, and the City, in making such grant reserves the right to enter and occupy any part or all of said space any time with its public utilities, or for other necessary public purposes.

(12) That any public utility, or public or private property, disturbed or injured as a result of any of the activities necessary for the completion of the construction work for said building project, whether done by the Contractor, City forces, or public utilities, shall be replaced or repaired at the Contractor's expense.

(13) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand Dollars (\$5000.00), which shall protect, indemnify, and hold harmless the City of Austin from any claims for damages to any person or property that may accrue to or be brought by any person by reason of the exercise of the privileges granted the Contractor by the City of Austin, and shall guarantee the replacement of all sidewalks, pavement, and all other public property and public utilities disturbed or removed during the construction work, and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Councilman Gillis introduced the following resolution:

WHEREAS, John Castillo is the contractor for the erection of an addition to a building located at 725 East 6th Street and desires a portion of the sidewalk space abutting the east 1/2 of Lot D, Block 62, of the Original City of Austin, Travis County, Texas, during the erection of the addition to said building, such space to be

used in the work and for the storage of materials therefor; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. THAT space for the uses hereinabove enumerated be granted to said John Castillo, the boundary of which is described as follows:

Sidewalk Working Space

Beginning at the southeast corner of the above described property; thence in an easterly direction and at right angles with the centerline of East Avenue to a point 4 feet west of the west curb line; thence in a northerly direction and parallel with the centerline of East Avenue 42 feet to a point; thence in a westerly direction and at right angles with the centerline of East Avenue to the east property line of the above described property

2. THAT the above privileges and allotment of space are granted to the said John Castillo, hereinafter termed "Contractor," upon the following express terms and conditions:

(1) That the Contractor shall construct a guard rail within the boundary line along the south, east, and north lines of the above described space, such guard rail to be at least 4 feet high and substantially braced and anchored.

(2) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such barricades.

(3) That provisions shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm water.

(4) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness and provide lighting system for all tunnels.

(5) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment, and other obstructions shall be removed not later than May 15, 1939.

(6) That the City reserves the right to revoke at any time any and all the privileges herein granted, or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(7) That the use and enjoyment of the spaces herein granted shall not be exclusive as against public needs, and the City, in making such grant reserves the right to enter and occupy any part or all of said space any time with its public utilities, or for other necessary public purposes.

(8) That any public utility, or public or private property, disturbed or injured as a result of any of the activities necessary for the completion of the construction work for said building project, whether done by the Contractor, City forces, or public utilities, shall be replaced or repaired at the Contractor's expense.

(9) That the Contractor shall furnish the City of Austin a surety bond in the sum of One Thousand Dollars (\$1000.00), which shall protect, indemnify, and hold harmless the City of Austin from any claims for damages to any person or property that may accrue to or be brought by any person by reason of the exercise of the privileges granted the Contractor by the City of Austin, and shall guarantee the replacement of all sidewalks, pavement, and all other public property and public utilities disturbed or removed during the construction work, and shall further

guarantee the construction of a walkway and other safeguards during the occupancy of the space.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Councilman Alford introduced the following resolution:

WHEREAS, the Texas Public Service Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Texas Public Service Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

(1) A gas main in HILLVIEW ROAD from Cherry Street to Clearview Drive, the centerline of which gas main shall be $7\frac{1}{2}$ feet west of and parallel to the east line of said Hillview Road.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

(2) A gas main in CHERRY STREET from Hillview Road to Meadowbrook Drive, the centerline of which gas main shall be $7\frac{1}{2}$ feet south of and parallel to the north line of said Cherry Street.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

(3) A gas main in DILLMAN STREET from Clearview Drive to Meredith Street, the centerline of which gas main shall be $7\frac{1}{2}$ feet west of and parallel to the east line of said Dillman Street.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

(4) A gas main in HOPI TRAIL from Meredith Street northerly 300 feet, the centerline of which gas main shall be $7\frac{1}{2}$ feet west of and parallel to the east line of said Hopi Trail.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

(5) A gas main in CLEARVIEW DRIVE from Dillman Street to Hillview Road, the centerline of which gas main shall be $7\frac{1}{2}$ feet south of and parallel to the north line of said Clearview Drive.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

(6) A gas main in HOPI TRAIL across Clearview Drive intersection, the centerline of which gas main shall be $7\frac{1}{2}$ feet west of and parallel to the east line of said Hopi Trail.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

(7) A gas main in AVENUE H northerly 52 feet from a point 122 feet north of the north line of East 53rd Street, the centerline of which gas main shall be 14 feet east of and parallel to the west line of said Avenue H.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

(8) A gas main in EAST 43RD STREET easterly 90 feet from a point 190 feet east of the east line of Bennett Avenue, the centerline of which gas main shall be 20 feet south of and parallel to the north line of said East 43rd Street.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

(9) A gas main in WEST 32nd STREET easterly 135 feet from a point 117 feet east of the east line of Kerbey Lane, the centerline of which gas main shall be $7\frac{1}{2}$ feet south of and parallel to the north line of said West 32nd Street.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

(10) A gas main in WEST 13TH STREET from Elm Street to Marshall Lane, the centerline of which gas main shall be 7 feet south of and parallel to the north line of said West 13th Street.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

(11) A gas main in EAST 47TH STREET from Red River Street westerly 240 feet, the centerline of which gas main shall be 6 feet north of and parallel to the south line of said East 47th Street.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

(12) A gas main in OLIVE STREET from Navasota Street westerly 70 feet, the centerline of which gas main shall be 10 feet south of and parallel to the north line of said Olive Street.

Said gas main described above shall have a covering of not less than 2½ feet.

(13) A gas main in EAST 19TH STREET from Whittier Street easterly 274 feet, the centerline of which gas main shall be 7½ feet south of and parallel to the north line of said East 19th Street.

Said gas main described above shall have a covering of not less than 2½ feet.

(14) A gas main in WHITTIER STREET from East 19th Street northerly 1/4 block to Lowell Street, the centerline of which gas main shall be 13½ feet east of and parallel to the west line of said Whittier Street.

Said gas main described above shall have a covering of not less than 2½ feet.

(15) A gas main in LAFAYETTE AVENUE from East 30th Street southerly 28 feet, the centerline of which gas main shall be 15 feet west of and parallel to the east line of said Lafayette Avenue.

Said gas main described above shall have a covering of not less than 2½ feet.

(16) A gas main in LAFAYETTE AVENUE from East 30th Street to East 32nd Street, the centerline of which gas main shall be 7½ feet west of and parallel to the east line of said Lafayette Avenue.

Said gas main described above shall have a covering of not less than 2½ feet.

The Texas Public Service Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Texas Public Service Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the City Engineering Department not less than three (3) days before such information is required. The Texas Public Service Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets and the restoration and maintenance of said streets after said mains have been laid, shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchise granted to said Company by the City of Austin.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Councilman Gillis introduced the following resolution:

WHEREAS, heretofore on April 30, 1938, Wilbur C. Treadwell and wife, and J. Thomas Ward and wife did give and grant to the City of Austin the right to construct certain sewer lines described in that certain instrument conveying easements across the north one-half of Lot 2, Block 11, of Westfield "A" Addition to the City of Austin, which instrument is recorded in Volume 588, pages 167-169, of the Deed Records of Travis County, Texas; and

WHEREAS, it has become apparent that the City of Austin does not now need or desire to construct across said lot the sewer line described in easement No. 1 of said conveyance hereinabove described, and the same will not be so needed; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Manager is hereby authorized and directed, in the name of the City of Austin, to release and quitclaim to Waid Sandberg and wife, I. Rosalie Sandberg, their heirs and assigns, all the right, title, interest, claim and demand in and to

the easement described as easement No. 1 to the hereinabove described property, which property is described in a deed dated September 5, 1938, and recorded in Volume 601, page 61, of the Deed Records of Travis County, Texas, to which reference is here made for all pertinent purposes.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Councilman Bartholomew introduced the following resolution and moved its adoption. The motion was seconded by Councilman Alford, and was carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The Mayor declared the resolution finally passed.

The resolution is as follows:

WHEREAS, the Public Works Administration requires that all projects under its regulation be done in accordance with approved wage scales as published by the Department of Labor of the State of Texas; and

WHEREAS, in the proposed work on Docket Texas 2072-F, said Department of Labor has furnished the City of Austin with said schedule, but which said schedule did not contain certain classes of labor which will be necessary to be used in the proposed work under Docket Texas 2072-F; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Manager be and he is hereby authorized and directed to submit such additional schedule to the State Director of Public Works Administration, and provide all contractors and sub-contractors on said Docket Texas 2072-F with notice that such scale of wages must be complied with.

"Docket-Texas-2072-F
Storm Sewers & Bridges
Austin, Texas

SUPPLEMENTARY WAGE SCALE

	<u>Per Hour</u>	<u>Per Day</u>
Asphalt Raker -	\$.60	\$4.80

Councilman Gillis introduced the following ordinance:

AN ORDINANCE AMENDING AN ORDINANCE PASSED APRIL 5, 1934, AS AMENDED ON APRIL 2, 1936, AND AS FURTHER AMENDED ON JUNE 4, 1936, AND AGAIN AMENDED ON APRIL 7, 1938, ENTITLED "AN ORDINANCE DECLARING WHEN TAXES DUE THE CITY OF AUSTIN SHALL BECOME DELINQUENT, PROVIDING THAT SAME SHALL THEREAFTER BEAR INTEREST, ASSESSING A PENALTY FOR DEFAULT THEREAFTER, AND REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE.

The ordinance was read the first time and Councilman Gillis moved that the rule be suspended and the ordinance be passed to its second reading. The motion was seconded by Councilman Alford, and was carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The ordinance was read the second time and Councilman Gillis moved that the rule be further suspended and the ordinance be passed to its third reading. The motion was seconded by Councilman Alford, and was carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The ordinance was read the third time and Councilman Gillis moved that the ordinance be finally passed. The motion was seconded by Councilman Alford, and was

carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Mayor Miller declared the ordinance finally passed.

Mayor Miller introduced the following ordinance:

AN ORDINANCE REGULATING THE SOLICITING OF ADVERTISING AND SUBSCRIPTION CONTRACTS, ALMS OR GIFTS FOR CHARITABLE, PATRIOTIC OR PHILANTHROPIC PURPOSES, AND THE SOLICITATION OF FUNDS BY TELEPHONE AND THE PROMOTION OR PARTICIPATION IN ENTERTAINMENTS, FAIRS OR BAZARS FOR CHARITY, PATRIOTISM OR PHILANTHROPY; AND THE SOLICITATION OR ACCEPTANCE OF GIFTS OF PROPERTY FOR ETHICAL, EVANGELISTIC, RELIGIOUS OR MISSIONARY PURPOSES EXCEPT BY ORGANIZATIONS ON THEIR OWN PREMISES; AND THE HOLDING OF RUMMAGE SALES AND THE SELLING OR OFFERING FOR SALE OF PROPERTY GIVEN FOR SALE FOR CHARITY, PATRIOTISM OR PHILANTHROPY; REQUIRING THE FILING OF APPLICATIONS AND OBTAINING OF PERMITS FOR ALL SUCH SOLICITATION, PROMOTION AND OTHER ACTIVITIES; PROVIDING AN EXCEPTION FOR OWNERS AND REPRESENTATIVES OF NEWSPAPERS AND OTHER ESTABLISHED PUBLICATIONS IN THE CITY OF AUSTIN; MAKING IT UNLAWFUL TO OBTAIN ALMS OR GIFTS BY MISREPRESENTATION; DEFINING THE WORD "PERSON"; PRESCRIBING PENALTIES FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING A SAVING CLAUSE FOR VALID PORTIONS OF THE ORDINANCE; REPEALING CONFLICTING ORDINANCES, AND DECLARING AN EMERGENCY.

The foregoing ordinance was read the first time, and, upon motion, was referred to the Legal Department to amend by striking out the clause, "Providing An Exception For Owners And Representatives Of Newspapers And Other Established Publications In The City of Austin,"

Councilman Alford introduced the following ordinance:

AN ORDINANCE AMENDING AN ORDINANCE APPOINTING ELECTION JUDGES AND CLERKS TO SERVE AT THE VARIOUS POLLING PLACES IN THE VARIOUS ELECTIONS TO BE HELD IN THE CITY OF AUSTIN DURING THE TERM OF TWO YEARS.

The ordinance was read the first time and Councilman Alford moved that the rule be suspended and the ordinance be passed to its second reading. The motion was seconded by Councilman Bartholomew, and was carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The ordinance was read the second time and Councilman Alford moved that the rule be further suspended and the ordinance be passed to its third reading. The motion was seconded by Councilman Bartholomew, and was carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The ordinance was read the third time and Councilman Alford moved that the ordinance be finally passed. The motion was seconded by Councilman Bartholomew and was carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The Mayor declared the ordinance finally passed.

The following resolution was introduced:

WHEREAS, City of Austin taxes were assessed in the name of Jake Silberstein for the year 1930 on a 1929 model Studebaker Sedan, License #1100362, and for the year 1935 on merchandise, furniture and fixtures, and for the years 1929-1932, inclusive, on Lot 11, Block 3, Outlot 4, Division "B", Plat 30, in the City of Austin, Travis County, Texas; said taxes being for the sum of \$128.83, and for non-payment of said taxes at maturity, penalty in the sum of \$6.44 has been assessed, and interest in the sum of \$55.64, making the total amount of taxes, penalty and interest \$190.91; and

WHEREAS, the City Council of the City of Austin deems it just and equitable.

to remit said penalty in the sum of \$6.44, and one-half of the interest in the sum of \$27.52; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the aforesaid penalty in the sum of \$6.44, and one-half of the interest in the sum of \$27.52, are hereby remitted, and the Tax Assessor and Collector of the City of Austin is authorized and directed to charge said penalty in the sum of \$6.44 and one-half the interest in the sum of \$27.52, off his rolls and to issue to the party entitled to receive same a receipt in full on the payment of said taxes and one-half the interest, as aforesaid.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The following resolution was introduced:

WHEREAS, City of Austin taxes were assessed in the name of R. C. Ammann for the years 1934-1937, inclusive, on the West 50'x120' of Lots 1 and 2, Block 14, Groome Addition to the City of Austin, Travis County, Texas; said taxes being for the sum of \$92.64, and for non-payment of said taxes at maturity penalty in the sum of \$4.62 has been assessed, and interest in the sum of \$13.82, making the total amount of taxes, penalty and interest \$111.08; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$4.62; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the aforesaid penalty in the sum of \$4.62 is hereby remitted, and the Tax Assessor and Collector of the City of Austin is authorized and directed to charge said penalty in the sum of \$4.62 off his rolls and to issue to the party entitled to receive same a receipt in full on the payment of said taxes and interest, as aforesaid, being an aggregate sum of \$106.46.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The following resolution was introduced:

WHEREAS, City of Austin taxes have been assessed in the name of Emma Marie Davis for the years 1935 and 1937 on 50'x87½' of the north side of the East one-half of Lot 2, Block 1, Outlet 56, Division "B", in the City of Austin, Travis County, Texas; said taxes being for the sum of \$56.32, and for non-payment of said taxes at maturity, penalty in the sum of \$2.81, and interest in the sum of \$6.72, making the total amount of taxes, penalty and interest \$65.85; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$2.81, and one-half of the interest in the sum of \$3.36; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the aforesaid penalty in the sum of \$2.81, and one-half of the interest in the sum of \$3.36, are hereby remitted, and the Tax Assessor and Collector of the City of Austin is authorized and directed to charge said penalty in the sum of \$2.81, and one-half the interest in the sum of \$3.36, off his rolls and to issue to the party entitled to receive same a receipt in full on the payment of said taxes and one-half the interest, as aforesaid.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The following resolution was introduced:

WHEREAS, the City of Austin taxes were assessed in the name of Mozelle W. Rogers for the years 1926, 1930, 1933-1937, inclusive, on Lot 9, Outlot 1, Division "B", Robertson Subdivision, in the City of Austin, Travis County, Texas; said taxes being for the sum of \$197.27, and for non-payment of said taxes at maturity, penalty in the sum of \$9.85 has been assessed, and interest in the sum of \$53.31, making the total amount of taxes, penalty and interest \$260.43; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$9.85, and one-half of the interest in the sum of \$26.65; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the aforesaid penalty in the sum of \$9.85, and one-half of the interest in the sum of \$26.65, are hereby remitted, and the Tax Assessor and Collector of the City of Austin is authorized and directed to charge said penalty in the sum of \$9.85 and one-half the interest in the sum of \$26.65 off his rolls and to issue to the party entitled to receive same a receipt in full on the payment of said taxes and one-half the interest, as aforesaid.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Upon motion, seconded and carried, the meeting was recessed, subject to call of the Mayor.

Approved:

Tom Miller
Mayor

Attest:

Helen M. Miller
City Clerk

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, April 6, 1939.

The City Council convened in regular session, at its regular meeting place in the City Hall, on Thursday, April 6, 1939, at 10:30 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Chas. F. Alford, C. M. Bartholomew, Simon Gillis, Mayor Tom Miller; absent, Councilman Oswald G. Wolf.

The reading of the Minutes was dispensed with.

At the request of the American Legion, Travis Post #76, presented by J.E. McClain, action on the Vigilance Ordinance was deferred until the next regular meeting in order that certain changes suggested by said organization might be given consideration.

Councilman Gillis introduced the following resolution and moved its adoption. The motion was seconded by Councilman Alford, and was carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller; absent, Councilman Wolf.